

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WPEM, LLC,)	
Plaintiff,)	
)	Civil Action No. _____
v.)	
)	
)	
SOTI INC.)	JURY TRIAL DEMANDED
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

WPEM, LLC files this Original Complaint and demand for jury trial seeking relief from patent infringement by SOTI Inc. (“SOTI”), alleging as follows:

I. THE PARTIES

1. Plaintiff WPEM, LLC is a Texas Limited Liability Company, with its principal place of business located in Harris County, Texas.

2. On information and belief, SOTI Inc. is a foreign corporation organized and existing under the laws of Canada, with a principal place of business at 5770 Hurontario Street, Ste. 1100, Mississauga, Ontario L5R 3G5 Canada, and a registered agent for service of process at InCorp Services, Inc., 815 Brazos Street, Ste. 500, Austin, Texas 78701. On information and belief, SOTI Inc. sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a), because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court also has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. § 1332(a)(1), because Plaintiff is a citizen of Texas, Defendant is a citizen of Ontario, Canada, and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

6. Defendant is a foreign corporation and therefore § 1400(b) is not controlling. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (d). Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this District.

III. INFRINGEMENT ('762 Patent)

7. On September 09, 2015, U.S. Patent No. 9,148,762 ("the '762 patent") (Exhibit A) entitled "Safecell 360™ Wireless Policy Enforcement Management (WPEM) Solution" was duly and

legally issued by the U.S. Patent and Trademark Office. WPEM, LLC owns the '762 patent by assignment.

8. The '762 patent relates generally to a method and system which delivers to users of mobile WPdevices, including but not limited to cell phones, tablets, or other electronic devices, preset applicable legal company policies or safety information based on the global positioning system (GPS). The delivered set of applicable legal, company policies or safety information can comprise various information including, but not limited to, restrictions on the use of a phone, potential fines for cell phone use, potential dangers, personal protective equipment requirements, prohibitions, guidelines and the like. The '762 patent is a fundamental innovation which significantly increases a company's ability to monitor its employees and agents, and reliably, efficiently and expediently diffuse critical policies, safety information and/ or restrictions directly onto an end-users phone.

9. Support for the allegations of infringement may be found in the following preliminary table:

10. Claim: 1	SOTI MobiControl Stated Functionalities
1. A method of wireless policy enforcement management of a mobile device having one or more wireless communication capabilities from the group consisting of data services and voice services, the method comprising:	
providing a software application for execution by the mobile device;	<ul style="list-style-type: none"> • SOTI MobiControl Manual <p>Remote Installation of SOTI MobiControl client on mobile device for monitoring interactions of user on device.</p>

pre-defining a first set of specific capabilities the mobile device will be able to run during a non-transit setting;

- Page 685 SOTI MobiControl Manual

SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.

Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.

- Page 687 SOTI MobiControl Manual

Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.

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Embedding custom data variables

To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window

	<p>will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your lockdown.</p> <p>If you wish to have a custom refresh mechanism within your lockdown use the following variable which refreshes the data on your lockdown screen.</p>
<p>pre-defining a second set of specific capabilities the mobile device will be able to run during an in-transit setting and storing such second set on a remote server as the mobile policy file;</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before</p>

	<p>disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL</p> <p>in the template.</p>
pre-defining a start trip speed in the software application;	<ul style="list-style-type: none"> • Page 686 SOTI MobiControl Manual <p>Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time.</p>
receiving and processing sensory data from the mobile device to determine when the mobile device meets or exceeds the pre-defined start trip speed;	<ul style="list-style-type: none"> • Page 110 SOTI MobiControl Manual <p>MobiControl's Location Services provides the ability to locate and track mobile devices that are equipped with a GPS receiver that is internal or external</p>

	<p>to the unit. In order to locate a device, the GPS must be enabled and correctly configured on your device. The GPS determines the current location based on its position relative to orbiting satellites.</p> <ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.</p>
<p>sending a signal to the remote server upon the mobile device meeting or exceeding the pre-defined start trip speed;</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p>

	<p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p>
<p>the remote server pushing the mobile policy file to the mobile device and temporarily overriding the non-transit setting; and</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is deactivated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day,</p>

	<p>should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL in the template.</p>
<p>monitoring the user's interactions with the mobile device while in the in-transit setting.</p>	<ul style="list-style-type: none"> • Page 674 SOTI MobiControl Manual <p>Application Run Control Event Notification</p> <p>Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.</p>

	<p>The following two options are available:</p> <p>The Notify Server on Application Termination option will generate a log event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.</p> <ul style="list-style-type: none"> • Page 698 SOTI MobiControl Manual <p>When the Notify Server on Call Blocked check box is checked, the server's log file will output all calls that were blocked, along with the phone number that was trying to call in or out for the particular device.</p>
Claim: 2	
2. The method of claim 1, further comprising:	
determining when the trip is over;	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the</p>

	<p>time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <ul style="list-style-type: none"> • Page 686 SOTI MobiControl Manual <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is deactivated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p>
uploading the user trip data; and	<ul style="list-style-type: none"> • Page 674 SOTI MobiControl Manual <p>Application Run Control Event Notification</p> <p>Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.</p> <p>The following two options are available:</p> <p>The Notify Server on Application Termination option will generate a log</p>

	<p>event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.</p> <ul style="list-style-type: none"> • Page 698 SOTI MobiControl Manual <p>When the Notify Server on Call Blocked check box is checked, the server's log file will output all calls that were blocked, along with the phone number that was trying to call in or out for the particular device.</p>
<p>removing the mobile policy file and resuming the non-transit setting on the mobile device upon termination of the trip.</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <ul style="list-style-type: none"> • Page 686 SOTI MobiControl Manual <p>Execute script on the mobile device during speed control. When the</p>

	<p>MobiControl speed control lockdown is deactivated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL in the template.</p>
Claim: 3	
3. The method of claim 1, further comprising:	

<p>determining a geographical location of the mobile device; and</p>	<ul style="list-style-type: none"> • Page 110 SOTI MobiControl Manual <p>MobiControl's Location Services provides the ability to locate and track mobile devices that are equipped with a GPS receiver that is internal or external to the unit. In order to locate a device, the GPS must be enabled and correctly configured on your device. The GPS determines the current location based on its position relative to orbiting satellites.</p>
<p>wherein when it is determined that the mobile device initially meets or exceeds the pre-defined start trip speed, the software application accesses a database containing mobile device usage restrictions and guidelines for the geographic location of the mobile device.</p>	<ul style="list-style-type: none"> • Page 341 SOTI MobiControl Manual <p>Dynamic device relocation allows you to set up rules to move your mobile devices automatically between different virtual groups or device groups in the MobiControl device tree based on the IP address or other custom criteria. Additionally, the devices can also be automatically reconfigured and any modifications to the mobile device settings, specific to the location, will be sent to the device automatically.</p> <ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the</p>

	<p>MobiControl speed control lockdown is activated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL</p> <p>(REG://...) in the template.</p> <p>If you wish to have a custom refresh mechanism within your lockdown use the following variable which refreshes the data on your lockdown screen: Refresh<a></p>
Claim: 4	
4. The method of claim 3, wherein determining the geographical location of the mobile device includes using a Global Positioning System associated with the mobile device.	<ul style="list-style-type: none"> • Page 110 SOTI MobiControl Manual <p>MobiControl's Location Services provides the ability to locate and track mobile devices that are equipped with a GPS receiver that is internal or external to the unit. In order to locate a device, the GPS must be enabled and correctly configured on your device. The GPS</p>

	determines the current location based on its position relative to orbiting satellites.
Claim: 7	
7. The method of claim 3, further comprising:	
determining if the geographical location of the mobile device is within a geographical area of restricted use of the mobile device; and	<ul style="list-style-type: none"> • Page 122 SOTI MobiControl Manual <p>The Manage Geofences feature provides an area in which to rename, delete or view current created Geofences.</p>
restricting use of the mobile device based on the determination of whether the location of the mobile device is within a geographical area of restricted use.	<ul style="list-style-type: none"> • Page 122 SOTI MobiControl Manual <p>The Manage Geofences feature provides an area in which to rename, delete or view current created Geofences.</p> <ul style="list-style-type: none"> • Page 341 SOTI MobiControl Manual <p>Dynamic device relocation allows you to set up rules to move your mobile devices automatically between different virtual groups or device groups in the MobiControl device tree based on the IP address or other custom criteria. Additionally, the devices can also be automatically reconfigured and any modifications to the mobile device settings, specific to the location, will be sent to the device automatically.</p>
Claim: 8	
8. The method of claim 7, further comprising not restricting use of the mobile device if the call is indicated to be an emergency call.	<ul style="list-style-type: none"> • Page 696 SOTI MobiControl Manual <p>MobiControl provides various on-device feature controls including the capability to block various device communications,</p>

	including what numbers a device is able to call or receive calls from.
Claim: 9	
9. The method of claim 1, wherein the mobile device is one of a cellular telephone, a personal digital assistant, a pager, a portable computer, and a portable communication device.	SOTI MobiControl Manual can run on each of iPhone, Android, Windows, and more,
Claim: 10	
10. The method of claim 1, further comprising enrolling the mobile device in the management system.	
Claim: 11	
11. The method of claim 10, further comprising allowing the management system to fully scan and document all hardware related information of the mobile device, all software installed on the mobile device, security settings, all third party software loaded to the mobile device, and all system settings of the mobile device.	<ul style="list-style-type: none"> • Page 1284 SOTI MobiControl Manual <p>The MobiControl Web Console allows you to generate Reports based on the Devices Operating System (OS).</p> <p>A Device activity Report provides information about the device activity during a specific time period.</p> <p>A Location Collected Data Report is a detailed report of the location data collected for the devices.</p> <p>A Geofence Report provides detailed report based on the Geofence.</p>
Claim: 12	
12. A method for remotely applying pre-defined policies to a mobile device on the	

basis of the speed the mobile device is travelling, comprising:	
enrolling the mobile device in the system;	A certificate is installed on the mobile device and paired with the SOTI MobiControl client installed on the mobile device.
providing a software application for execution by the mobile device, the mobile device characterized by having one or more wireless communication capabilities from the group consisting of data services and voice services and associated with a navigation component that provides navigation data;	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p>
pre-defining a first set of specific capabilities the mobile device will be able to run during a non-transit setting and storing such first set on a server as the user's non-motion policy file;	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the</p>

	<p>MobiControl speed control lockdown is activated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL</p> <p>in the template.</p>
<p>pre-defining a second set of specific capabilities the mobile device will be able to run during an in-transit setting and storing such second set on the server as the user's mobile policy file;</p>	<ul style="list-style-type: none"> • Page 686 SOTI MobiControl Manual <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is deactivated, send this script to the device</p>

	<ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL in the template.</p>
<p>upon determining the mobile device is travelling at or above a pre-configured start trip speed, pushing the user's mobile policy file to the mobile device and temporarily overwriting user's non-motion policy file; and</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the</p>

	<p>time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.</p> <ul style="list-style-type: none"> • Page 687 SOTI MobiControl Manual <p>Using the above screen shot, the speed lockdown is activated the whole day, should engage when the device is travelling at 25 Mph or higher for at least 10 seconds. If it falls below the specified speed, wait 10 seconds before disengaging the speed control. When the speed control is activated, send a message box to the device, and when the speed control is removed, send another script.</p> <ul style="list-style-type: none"> • Page 693 SOTI MobiControl Manual <p>Embedding custom data variables</p> <p>To insert custom data to your lockdown, click on Edit and Insert Custom Data button or click on the Insert Custom Data button on the toolbar. A dialog window will open which will give you the option to select which custom data profile that has been previously created which you wish to include in your</p> <p>lockdown. As an alternative to pre-defined custom data you can explicitly include the Custom Data URL in the template.</p>
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monitoring the user's interactions with the mobile device while in the in-transit setting; and

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Application Run Control Event Notification

Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.

The following two options are available:

The Notify Server on Application Termination option will generate a log event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.

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The MobiControl Web Console allows you to generate Reports based on the Devices Operating System (OS).

A Device activity Report provides information about the device activity during a specific time period.

	<p>A Location Collected Data Report is a detailed report of the location data collected for the devices.</p> <p>A Geofence Report provides detailed report based on the Geofence.</p>
<p>gathering hardware and software sensory data including GPS, accelerometer, and hardware unique data elements while in the in-transit setting.</p>	<ul style="list-style-type: none"> • Page 674 SOTI MobiControl Manual <p>Application Run Control Event Notification</p> <p>Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.</p> <p>The following two options are available:</p> <p>The Notify Server on Application Termination option will generate a log event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.</p> <ul style="list-style-type: none"> • Page 1284 SOTI MobiControl Manual

	<p>The MobiControl Web Console allows you to generate Reports based on the Devices Operating System (OS).</p> <p>A Device activity Report provides information about the device activity during a specific time period.</p> <p>A Location Collected Data Report is a detailed report of the location data collected for the devices.</p> <p>A Geofence Report provides detailed report based on the Geofence.</p>
Claim: 13	
<p>13. The method of claim 12, further comprising upon determining a trip is over, the provided software application will upload the user trip data to a remote user's account.</p>	<ul style="list-style-type: none"> • Page 685 SOTI MobiControl Manual <p>SOTI MobiControl Speed Lockdown triggers when the device is going a certain speed, as set in the Advanced settings. The speed of the device is determined by utilizing the device's GPS unit. Using the device's GPS unit, MobiControl periodically checks the location of the device along with the time. It will then checks again and determine the distance between the two points and calculate the device's speed.</p> <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is activated, send this script to the device.</p> • Page 686 SOTI MobiControl Manual <p>Execute script on the mobile device during speed control. When the MobiControl speed control lockdown is deactivated, send this script to the device.</p>

	<ul style="list-style-type: none"> • Page 674 SOTI MobiControl Manual <p>Application Run Control Event Notification</p> <p>Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.</p> <p>The following two options are available:</p> <p>The Notify Server on Application Termination option will generate a log event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.</p> <ul style="list-style-type: none"> • Page 1284 SOTI MobiControl Manual <p>The MobiControl Web Console allows you to generate Reports based on the Devices Operating System (OS).</p> <p>A Device activity Report provides information about the device activity during a specific time period.</p>
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	<p>A Location Collected Data Report is a detailed report of the location data collected for the devices.</p> <p>A Geofence Report provides detailed report based on the Geofence.</p>
Claim: 14	
<p>14. The method of claim 13, wherein the user trip data includes all violations, accelerometer and device sensor telemetry.</p>	<ul style="list-style-type: none"> • Page 674 SOTI MobiControl Manual <p>Application Run Control Event Notification</p> <p>Every time MobiControl's application run control feature blocks or terminates an application that is not allowed to run by the security policy in effect, it can notify the server or the user if the appropriate options are selected.</p> <p>The following two options are available:</p> <p>The Notify Server on Application Termination option will generate a log event on the server and display it in the Event Logs for that particular device when an attempt is made to run a blocked operation. Device logs can be viewed in the MobiControl Manager by highlighting the device or the group of devices and enabling the Logs tab. This allows the administrators using MobiControl Manager to track any attempts by the end users to run or install unauthorized applications and ensures a higher level of monitoring.</p> <ul style="list-style-type: none"> • Page 1284 SOTI MobiControl Manual

	<p>The MobiControl Web Console allows you to generate Reports based on the Devices Operating System (OS).</p> <p>A Device activity Report provides information about the device activity during a specific time period.</p> <p>A Location Collected Data Report is a detailed report of the location data collected for the devices.</p> <p>A Geofence Report provides detailed report based on the Geofence.</p> <p>A Device Custom Data report provides information about devices with the custom data values of</p> <p>selected custom data fields.</p>
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- These allegations of infringement are preliminary and are therefore subject to change.

11. SOTI Inc. makes, uses, offers to sell, or sells within or imports into the U.S. components and related services that provide mobile device users with company policies, safety information or restrictions based on identified locations of wireless devices using the global positioning system (GPS) such that SOTI Inc. infringes claims 1–14 of the '762 patent, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '762 Patent into service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

12. SOTI Inc. has and continues to induce infringement. SOTI Inc. has actively encouraged or instructed others (e.g., its customers and/or the customers of its resellers), and continues to do so,

on how to use its products and services (e.g., SOTI MobiControl [e.g., SOTI MobiControl Manual (instructing users on issues including, but not limited to: speed lockdown advanced settings, embedding custom data variables, tracking end-user attempts to run or install unauthorized applications, dynamic device relocation, controlling end-user communications)], and related services that use identified locations of wireless devices to perform adjustments such to cause infringement of claims 1–14 of the '762 patent, literally or under the doctrine of equivalents. Moreover, SOTI Inc. has known of the '762 patent and the technology underlying it, from at least the time SOTI used the technology with AT&T in 2012. Further, SOTI has known of the claims of the patent by at least by the date SOTI Inc. is served with this Complaint such that it knew and should have known that it was and would be inducing infringement,

13. SOTI Inc. has caused and will continue to cause WPEM, LLC damage by direct and indirect infringing (including inducing infringement of) the claims of the '762 patent.

IV. JURY DEMAND

WPEM, LLC hereby requests a trial by jury on issues so triable by right.

V. PRAYER FOR RELIEF

- i. WHEREFORE, WPEM, LLC prays for relief as follows:
 - a. enter judgment that Defendant have infringed the claims of the '762 patent;
 - b. award WPEM, LLC damages in an amount sufficient to compensate it for Defendants' infringement of the '762 patent, in an amount no less than a reasonable royalty or lost profits, together with prejudgment and post-judgment interest and costs under 35 U.S.C. § 284;
 - c. award WPEM, LLC an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;

- d. declare this case to be “exceptional” under 35 U.S.C. § 285 and award WPEM, LLC its attorneys’ fees, expenses, and costs incurred in this action;
- e. declare Defendant’s infringement to be willful and treble the damages, including attorneys’ fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. §284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and their agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant, from infringing the claims of the Patents-in-Suit or (ii) award damages for future infringement in lieu of an injunction, in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and,
- g. award WPEM, LLC such other and further relief as this Court deems just and proper.

Respectfully submitted,

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